

Statement of John Conyers, Jr.
HR 3150, Airline Security Bill
November 1, 2001

I rise in strong opposition to the Manager's Amendment and in support of the Democratic Substitute.

There is no question that airport security is a legitimate federal responsibility. Just as the federal government protects our borders, guards against smuggling, and protects against illegal drugs, the federal government must also protect our citizens against terrorists boarding airplanes with guns, knives, and bombs. Its that simple.

I also oppose the Manager's Amendment because of its unprecedented limits on legal liability. Its amazing to me that legislation designed to enhance airport security would end up harming victims and rewarding the very firms whose negligence contributed to the September 11 terrorist attacks.

The amendment does this by providing liability relief to “any person liable for any damages arising out of the [September 11] hijacking.” This means the baggage screening firms would be protected from liability if they hired incompetent employees or deliberately failed to check for weapons. Where is the justice in that?

Even worse, the liability provisions go far beyond the protections included in the airline bailout bill we passed in September. This is because the amendment totally bans punitive damages, eliminates prejudgment interest, mandates collateral source, and limits victims attorneys fees. All of this was done without the benefit of a single hearing or any consideration by the Committee of jurisdiction – the Judiciary Committee.

The Members should also know that these provisions are far more extreme than the liability relief requested by the supposed beneficiaries of the provisions – the owners of the World Trade Center and the airplane manufacturers. The Majority was so intent on shoe horning their broader tort reform agenda into this must pass legislation that they were willing to sacrifice the legal rights of the victims of the September 11 tragedy.

Passing this amendment in this manner constitutes special interest legislating at its worse. It is wrong, and I urge the Members to reject it.